

(t) *State*. Any State, territory, or district of the United States, including Puerto Rico.

(u) *Suppressive area*. That portion of a regulated area where eradication of infestation is undertaken as an objective, as designated by the Deputy Administrator under §301.80-2(a).

(v) *Treatment Manual*. The provisions currently contained in the "Manual of Administratively Authorized Procedures to be Used Under the Witchweed Quarantine" and the "Fumigation Procedures Manual" and any amendments thereto.¹

(w) *Witchweed*. Parasitic plants of the genus *Striga* and reproductive parts thereof, including seeds.

[41 FR 27372, July 2, 1976]

§ 301.80-2 Authorization to designate, and terminate designation of, regulated areas and suppressive or generally infested areas; and to exempt articles from certification, permit, or other requirements.

(a) *Regulated areas and suppressive or generally infested areas*. The Deputy Administrator shall designate as regulated areas, in a supplemental regulation designated as §301.80-2a, each quarantined State, or each portion thereof in which witchweed has been found or in which there is reason to believe that witchweed is present or which it is deemed necessary to regulate because of its proximity to infestation or its inseparability for quarantine enforcement purposes from infested localities. The Deputy Administrator, in the supplemental regulation, may designate any regulated area or portion thereof, as a suppressive area or a generally infested area in accordance with the definitions thereof in §301.80-1. Less than an entire quarantined State will be designated as a regulated area only if the Deputy Administrator is of the opinion that:

(1) The State has adopted and is enforcing a quarantine or regulation which imposes restrictions on the

intrastate movement of the regulated articles which are substantially the same as those which are imposed with respect to the interstate movement of such articles under this subpart; and

(2) The designation of less than the entire State as a regulated area will otherwise be adequate to prevent the interstate spread of witchweed.

(b) *Temporary designation of regulated areas and suppressive or generally infested areas*. The Deputy Administrator or an authorized inspector may temporarily designate any other premises in a quarantined State as a regulated area and may designate the regulated area or portions thereof as a suppressive or generally infested area, in accordance with the criteria specified in paragraph (a) of this section for designating such area, by serving written notice thereof on the owner or person in possession of such premises, and thereafter the interstate movement of regulated articles from such premises by any person having notice of the designation shall be subject to the applicable provisions of this subpart. As soon as practicable, such premises shall be added to the list in §301.80-2a if a basis then exists for their designation.

(c) *Termination of designation as a regulated area and a suppressive or generally infested area*. The Deputy Administrator shall terminate the designation provided for under paragraph (a) of this section of any area designated as a regulated area or a suppressive or a generally infested area when he determines that such designation is no longer required under the criteria specified in paragraph (a) of this section. The Deputy Administrator or an inspector shall terminate the designation provided for under paragraph (b) of this section of any premises designated as a regulated area or a suppressive or a generally infested area when he determines that such designation is no longer required under the criteria specified in paragraph (a) of this section, and notice thereof shall be given to the owner or person in possession of the premises.

(d) *Exemption of articles from certification, permit, or other requirements*. The Deputy Administrator may, in a supplemental regulation designated as §301.80-2b, list regulated articles or

¹ Pamphlets containing such provisions are available upon request to the Deputy Administrator, Plant Protection and Quarantine Programs, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, DC 20250, or from an inspector.

movements of regulated articles which shall be exempt from the certification, permit, or other requirements of this subpart under such conditions as he may prescribe, if he finds that facts exist as to the pest risk involved in the movement of such regulated articles which make it safe to so relieve such requirements.

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§ 301.80-2a Regulated areas; generally infested and suppressive areas.

The civil divisions and parts of civil divisions described below are designated as witchweed regulated areas within the meaning of this subpart.

NORTH CAROLINA

(1) *Generally infested areas.* None.

(2) *Suppressive areas.*

Bladen County. The entire county.

Columbus County. The part of the county lying north and west of a line that begins at a point where State Highway 410 intersects the Bladen-Columbus County line, then south along this road to its junction with U.S. Highway 76, then west along U.S. Highway 76 to its junction with State Secondary Road 1356, then south along this road to its junction with the North Carolina-South Carolina border, where the line ends.

Craven County. The Chapman, Idel M., farm located .3 mile off west side of State Secondary Road 1459 and 0.1 mile north of its junction with State Secondary Road 1463.

The Morris, Gerald K., farm located on the north side of State Secondary Road 1444 and 1.4 miles northwest of its junction with State Secondary Road 1447.

The Nobles, Jr., Jack, farm located on the west side of State Secondary Road 1262 and located 0.7 mile south of the intersection of State Secondary Road 1258 and State Secondary Road 1262.

Cumberland County. That area bounded by a line beginning at a point where U.S. Highway 401 intersects the Cumberland-Hoke County line, then east along this highway to its intersection with the Fayetteville city limits, then south, east, and northeast along these city limits to its junction with U.S. Highway 301 north, then northeast along this highway to its junction with U.S. Interstate 95, then northeast along this interstate to its junction with U.S. Highway 13, then east and northeast along this highway to its intersection with the Cumberland-Sampson County line, then southerly along this county line to its junction with the Bladen-Cumberland County line, then westerly along this county line to its junction with the Cumberland-Robeson County line, then northwesterly along this county line to its junction with

the Cumberland-Hoke County line, then northwesterly along this county line to the point of beginning.

The Barefoot, Bobby, farm located on the south side of State Secondary Road 1708 and its western junction with State Secondary road 1609.

The Contrell, C.T., farm located on the west side of State Secondary Road 1400 as its junction with State Secondary Road 1401.

The Lee, Jack, farm located on the west side of State Secondary Road 1716 and 0.1 mile north of its intersection with State Secondary Road 1717.

The Lovick, Eugene, farm located on the north side of State Secondary Road 1732 and 0.9 mile west of its junction with U.S. Highway 301.

The Matthews, Isiah, farm located on a private road off the east side of U.S. Highway 301 and 0.1 mile north of its junction with State Secondary Road 1722.

The McLaurin, Elwood, farm located on the west side of U.S. Highway 301 and 0.2 mile north of its junction with State Secondary Road 1828.

The McLaurin, George, farm located on the north side of State Secondary Road 1722 and 0.4 mile west of its junction with U.S. Highway 301.

The Underwood, Olive T., farm located on the east side of State Secondary Road 1723 and 0.8 mile south of its junction with State Secondary Road 1722.

Duplin County. The Grand, Pietro, farm located 0.2 mile southwest of end of State Secondary Road 1981.

The Lewis, Merle S., farm located on both sides of State Secondary Road 1508 and .25 miles east of its intersection with State Secondary Road 1004.

The Mathis, Sudie, farm located on the southwest side of State Secondary Road 1128 and 0.1 mile south of the Duplin-Sampson County line.

Greene County. The Alexander, Jenny, farm located on the west side of State Secondary Road 1419 and 0.3 mile south of its intersection with North Carolina Highway 903.

The Applewhite, Claudia, farm located on the west side of State Secondary Road 1419 and .2 mile south of its junction with North Carolina Highway 903.

The Dixon, Sudie, farm located on the west side of State Secondary Road 1004 and 0.2 mile south of its junction with State Secondary Road 1405.

The Dunn, Theodore, S., farm located on the east side of State Secondary Road 1413 and in the northeast junction with this road and State Secondary Road 1417.

The Lane, Sylvester, farm located 3.8 miles east of Snow Hill, on both sides of State Secondary Road 1400 and 2.8 miles southeast of its junction with U.S. Highway 13.

The Lane, Wilbert, farm located on the east side of State Secondary Road 1419 and